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THE DOW CHEMICAL COMPANY,
ADVANCED MICRO DEVICES, INC.,
DREAMWORKS ANIMATION SKG, INC., and
AIG FINANCIAL PRODUCTS CORP

17 CISCO SYSTEMS, INC., Case No. C 09-01550 JSW (JCS)

18 Plaintiff, **ADMINISTRATIVE MOTION TO**
19 v. **CONSIDER WHETHER CASES SHOULD**
BE RELATED (Civil Local Rule 3-12)

20 TELECONFERENCE SYSTEMS, LLC
21 and MARGALLA COMMUNICATIONS,
22 INC.,
Defendants.

Case No. C 09-01550 JSW (JCS)

**ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES SHOULD
BE RELATED (Civil Local Rule 3-12)**

24 Hewlett-Packard Company (“HP”) and its customers AstraZeneca Pharmaceuticals, LP,
25 The Dow Chemical Company, Advanced Micro Devices, Inc., DreamWorks Animation SKG,
26 Inc. and AIG Financial Products Corp. are defendants in the action *Teleconference Systems, LLC*
27 *v. Hewlett-Packard Co., et al.*, No. 5:09-cv-05896-HRL (the “HP Action”). The HP Action was
28 originally filed by Teleconference Systems, LLC (“TS”) in the District of Delaware on

ADMIN. MOTION TO CONSIDER
WHETHER CASES SHOULD BE RELATED

CASE NO. C 09-01550 JSW (JCS)

1 August 24, 2009, but it was recently transferred to this Court and assigned to Magistrate Judge
 2 Lloyd. Pursuant to Civil Local Rule 3-12, the defendants in the HP Action respectfully request
 3 that request that the HP Action be related to the instant action, *Cisco Systems, Inc. v.*
 4 *Teleconference Systems, LLC et al.*, Case No. 3:09-cv-01550-JSW (the “Cisco Action”), and
 5 assigned to Judge Jeffrey S. White. Counsel for TS has indicated TS consents to this motion.

6 The Cisco Action is a declaratory judgment action filed by Cisco Systems, Inc. (“Cisco”)
 7 on April 8, 2009 against defendants Teleconference Systems, LLC and Margalla
 8 Communications, Inc. to obtain a declaration that Cisco and others have not infringed and are not
 9 infringing United States Patent No. 6,980,526 (the “’526 patent”) and that the ’526 patent is
 10 invalid. TS has filed a counterclaim against Cisco and a third party complaint against others for
 11 infringement of the ’526 patent. In the HP Action, TS asserts that HP and others are infringing
 12 the same ’526 patent based on HP’s Halo Telepresence videoconferencing products.

13 As both the HP Action and the Cisco Action involve allegations by the same plaintiff, TS,
 14 that HP and Cisco and others infringe the same patent, the cases should be related and assigned to
 15 the same judge. Assignment of both cases to Judge White, before whom the earlier-filed Cisco
 16 Action is currently pending, will promote judicial efficiency and avoid the risk of conflicting
 17 results. For these reasons, HP and the other movants respectfully request that the HP Action,
 18 *Teleconference Systems, LLC v. Hewlett-Packard Co., et al.*, No. 5:09-cv-05896-HRL, be related
 19 to the Cisco Action, *Cisco Systems, Inc. v. Teleconference Systems, LLC et al.*, Case No. 3:09-cv-
 20 01550-JSW, and that the HP Action be assigned to Judge White.

21 Dated: February 8, 2010

FENWICK & WEST LLP

23 By /s/Virginia K. DeMarchi
 24 Virginia K. DeMarchi

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 26 HEWLETT-PACKARD COMPANY,
 27 ASTRAZENECA PHARMACEUTICALS,
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